

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
ADULT DIVERSION UNIT
DEPARTMENT OF ATTORNEY GENERAL

JOHN DOE

DIVERSION # 11-0001

PARTICIPATION AGREEMENT

The Department of Attorney General and the above-named participant hereby agree and stipulate to the terms as follows:

- 1.) The Department of Attorney General has received information from the **COVENTRY POLICE DEPARTMENT** which constitutes the basis for a criminal charge or charges being brought against the participant in the State Superior Court.
- 2.) The Department of Attorney General agrees to presently forego the prosecution of the indictment/information, **Number K2/11-0000A** pending in the State Superior Court against the participant. In consideration for this forbearance to prosecute, the participant hereby voluntarily waives his/her right to a speedy trial and right to be tried without unnecessary delay and voluntarily enters and participates in the Adult Diversion Program conducted by the Department of Attorney General.
- 3.) The Department of Attorney General further agrees that the successful completion by the participant of the Adult Diversion Program will result in a 48A Dismissal, with prejudice to the State, of the indictment/information, **Number K2/11-0000A** due to the defendant's successful completion of the Adult Diversion Program.
- 4.) The participant agrees to adhere to the following conditions of the Adult Diversion Program for a period of **six (6) months** commencing on **January 1, 2011**.
 - (a) The participant will notify the Adult Diversion Unit of the Department of Attorney General of any changes of address, employment, status and/or schooling status within 72 hours of the effective date of said change.
 - (b) The participant will notify the Adult Diversion Unit of the Department of Attorney General if the participant is arrested by any law enforcement agency during the term of agreement, whether or not this arrest results in a criminal charge within 72 hours of arrest.
 - (c) The participant agrees, during the term of the Adult Diversion Program designed for him/her, to keep the peace and be of good behavior, and obey all laws of this state, of the United States, and of any state he/she may enter during such term.

- (d) The participant will maintain full-time employment precluding any unforeseen labor conditions, any work stoppages, or any injuries, which may prevent the participant from engaging in full-time employment. In lieu of full-time employment, the participant may maintain a status as a full-time student.
- (e) The participant will successfully complete the established counseling program with THE KENT CENTER. The term successful completion means that the participant must attend all of the counseling sessions for the entire time allotted to each session. Exceptions will only be made for valid, emergency situations. Absences must be approved by the counseling agency. The term successful completion further means that the participant must maintain a positive attitude, desire, and willingness to seek help for the problem or problems for which the participant is involved in counseling. The participant's counselor will be the primary determinant of whether or not said participant has exhibited this positive attitude, desire, and willingness during the counseling program and has made satisfactory progress towards reaching treatment goals.
- (f) If the participant successfully completes counseling prior to the six (6) months of active participation, the participant will be required to perform community service work equivalent to no more than two and one-half (2 ½) hours/week for each remaining week in this agreement. Said community service shall begin within two (2) weeks from the final date of discharge from counseling.
- (g) The participant agrees to maintain monthly contact with John J. McCabe of the Adult Diversion Unit until the expiration of this agreement.

Signed and agreed to this _____ day of _____, 2011.

Participant
JOHN DOE

Department of Attorney General

Defense Counsel/Witness

Adult Diversion Unit
JOHN J. McCABE